

Attorney's Docket No. 038190/271237

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Thaddeus M. Jakubowski, Jr. Confirmation No.: 1350  
Appl. No.: 10/780,521 Group Art Unit: 3644  
Filed: February 16, 2004 Examiner Tien Quang Dinh  
For: STORE EJECTION SYSTEM WITH DISPOSABLE PRESSURE  
VESSEL AND ASSOCIATED METHOD OF OPERATION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

I, Nicholas F. Gallo, am an attorney of record of the disclaimant, The Boeing Company, and am authorized to execute this disclaimer on behalf of The Boeing Company. The disclaimant, The Boeing Company, having a principal place of business at 100 N. Riverside Plaza, Chicago, Illinois 60606-1595, is the owner of all right, title, and interest in the above-identified application, by Assignment filed February 16, 2004, and recorded at Reel 014999, Frame 0494.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,758,441, issued July 6, 2004, and United States Patent No. 6,764,048, issued July 20, 2004, each entitled *Store Ejection System With Replaceable Pressure Vessel*, which patents were assigned to the above-identified disclaimant by an Assignment recorded July 25, 2002, at Reel 013154, Frame 0391.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,758,441 and U.S. Patent No. 6,764,048, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 6,758,441 or U.S. Patent No. 6,764,048, in the event that either patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is

PAGE 9/10 \* RCVD AT 11/15/2004 5:12:06 PM [Eastern Standard Time] \* SVR:USPTO-EFXXF-1/3 \* DNIS:8729306 \* CSID: \* DURATION (mm:ss):02:54

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statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(c), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,



Nicholas F. Gallo  
Registration No. 50,135

Date: Nov. 15, 2004

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Examiner: Tien Quang Dinh  
Title: STORE EJECTION SYSTEM WITH DISPOSABLE PRESSURE  
VESSEL AND ASSOCIATED METHOD OF OPERATION

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AMENDMENT  
37 C.F.R. § 1.121

Sir:

In response to the Office Action dated September 13, 2004, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

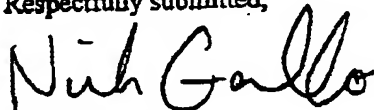
Remarks/Arguments begin on page 6 of this paper.

Appl. No.: 10/780,521  
Amdt. dated November 15, 2004  
Reply to Office action of September 13, 2004

Examiner is encouraged to contact Applicant's undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

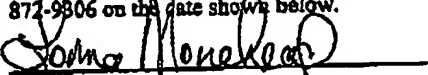


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (703) 872-9306 on the date shown below.



Lorna Morehead

November 15, 2004  
Date

CLT01/4680562v1